

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE

27290. Vitamin tablets. (F.D.C. No. 44751. S. Nos. 7-188/93 R.)

QUANTITY: 3 5,000-tablet cartoned btls., 32 1,000-tablet cartoned btls., 3 cases, each containing 48 250-tablet btls., 8 cases, each containing 144 100-tablet cartoned btls., and 3 cases, each containing 144 50-tablet cartoned btls., of Vita-Kaps; 7 1,000-tablet cartoned btls., 45 cases, each containing 12 250-tablet cartoned btls., 6 cases, each containing 12 100-tablet btls., and 14 cases, each containing 12 50-tablet cartoned btls., of VitaKaps-M; 6 5,000-tablet btls., 6 1,000-tablet btls., 7 cases, each containing 48 250-tablet btls., 342 cases, each containing 12 100-tablet btls., and 4 cases, each containing 144 50-tablet btls., of Dayalets; 3 1,000-tablet btls., 13 cases, each containing 36 250-tablet btls., and 136 cases, each containing 12 100-tablet btls., of Dayalets-M; 3 cases, each containing 24 1,000-tablet cartoned btls., 85 cases, each containing 48 100-tablet btls., and 16 cases, each containing 48 30-tablet btls., of Optilets; and 4 1,000-tablet btls., 20 cases, each containing 48 100-tablet btls., and 12 cases, each containing 48 30-tablet btls., of Optilets-M, at Needham Heights, Mass.

SHIPPED: Between 3-5-60 and 5-4-60, from North Chicago, Ill., by Abbott Laboratories.

LABEL IN PART: (Btl.) "Vita-Kaps Abbott Multivitamins for all the family A, D, C and Vitamin B Complex, including B₁₂ ("VitaKaps-M Abbott Multivitamins and Minerals for all the family. A, D, C and Vitamin B Complex, including B₁₂ and Minerals," "Dayalets Abbott's Multiple Vitamin Tablets Potent, daily maintenance vitamins 10 important vitamins in each tiny tablet," "Dayalets-M Abbott Vitamin Mineral Tablets 10 Important Vitamins 9 Important Minerals," "Optilets * * * Therapeutic Formula Multivitamins," and "Optilets-M Abbott's Therapeutic Formula Vitamins with Minerals") * * * Abbott Laboratories, North Chicago, Illinois."

ACCOMPANYING LABELING: Leaflets entitled "Vitamins for Your Family."

LIBELED: 8-3-60, Dist. Mass.

CHARGE: 403(a)—the labeling accompanying the articles, when shipped, when viewed as a whole and in the setting in which presented, represented and suggested that it was difficult, if not impossible, to obtain adequate nutrition from a diet of ordinary foods, due to the non-uniform distribution of vitamins and minerals in the various articles of food, and due to the adverse effects on the nutritive quality of foods ordinarily consumed due to poor quality soil, weather, agricultural, processing, and marketing practices, and home preparation, which would result in practically everyone suffering from, or being in danger of suffering from, inadequate vitamin and mineral nutrition unless a vitamin or vitamin and mineral supplement was added to the diet; which representations and suggestions were false and misleading, since the readily available foods will supply adequate vitamin and mineral nutrition as usually consumed, and malnutrition due to inadequate vitamin and mineral intake as supplied by the diet is extremely rare in this country;

403(a)—the labeling accompanying the articles, when shipped, contained statements which represented and suggested that the regular consumption of "a vitamin tablet" was a suitable corrective for all aspects of inadequate nutrition due to poor eating habits; fad diets; eating only the foods one likes and ignoring other needed foods; limiting the diet to foods easily prepared,

attractive, and pleasing in appearance and taste; which statements were false and misleading in that continuation of such a diet, even with the addition of vitamins and minerals, may not provide all nutrients needed for adequately balanced nutrition and is not the proper corrective of improper eating habits;

403(a)—the labeling accompanying the articles, when shipped, contained the statement designating the "Natural Sources" of vitamin C as "Citrus Fruits, berries, greens, cabbages, peppers," which statement was misleading in that it omitted from the listing the substantial contribution of vitamin C supplied to the diet by the root vegetables, such as sweet and Irish potatoes, rutabagas, and turnips; also by liver, various melons, and tomatoes and tomato products, each of which in an average serving will supply from one third up to the full amount or more of the daily need for this vitamin; and in that it omitted from the listing the lesser but still significant contribution of many other fruit and vegetable products; and

403(a)—the labeling accompanying the VitaKaps-M, Dayalets-M, and Optilets-M, when shipped, contained the statements which represented and suggested that the articles were of particular value by reason of the "extra insurance," "added potency," or "extra potency," of "9 important minerals"; which statements were false and misleading when referring to the addition of five milligrams per day of potassium, among other minerals, to the diet, since this is an insignificant quantity when compared with either the large amount of potassium present in the body, needed by the body, or supplied to the body by the ordinary diet.

The articles were alleged also to be misbranded under the provisions of the law applicable to drugs as reported in notices of judgment on drugs and devices, No. 6395.

DISPOSITION: 9-19-60. Default—delivered to a charitable institution.

27291. Decavitamin tablets. (F.D.C. No. 45514. S. No. 34-625 R.)

QUANTITY: 47 cases, 24 1,000-tablet btl. each, at Royce (Somerville), N.J.

SHIPPED: 1-3-61, from Oak Park, Mich.

LABEL IN PART: (Btl.) "Decavitamin, USP Ingredients in each tablet: * * * Vitamin B-12 2 Mcg."

RESULTS OF INVESTIGATION: Examination showed that the article contained approximately 50 percent of the declared amount of vitamin B₁₂.

LIBELED: 3-14-61, Dist. N.J.

CHARGE: 402(b)(1)—while held for sale, the valuable constituent, vitamin B₁₂, had been in part omitted or abstracted from the article; and 403(a)—the label statement "Vitamin B-12 2 Mcg." was false and misleading.

DISPOSITION: 4-28-61. Consent—claimed by Freshman Vitamin Co., Oak Park, Mich., and brought into compliance with the law.

27292. Harmon's Instant Liquid Malt. (F.D.C. No. 45499. S. No. 24-488 R.)

QUANTITY: 15 cases, 4 1-gal. jars each, and 10 1-qt. jars at Kansas City, Kans.

SHIPPED: 1-16-61, from McCook, Nebr., by Grain Products Corp.